

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

SCHNADER HARRISON SEGAL & LEWIS
LLP,

Plaintiff,

v.

LOREN W. HERSHEY,

Defendant

Civil No. 1:12-CV-00928-AJT/IDD

MOTION FOR SANCTIONS PURSUANT TO 28 U.S.C. § 1927

Schnader Harrison Segal & Lewis LLP (“Schnader”) moves the Court for an order awarding reasonable attorneys’ fees, costs, and other expenses against Defendant, Loren W. Hershey, a licensed attorney appearing *pro se*, for violating 28 U.S.C. § 1927.

This motion is made on the grounds that:

1. Mr. Hershey, acting in bad faith, asserted counterclaims for which he was aware there was no evidentiary support, with the purpose of multiplying the proceedings and increasing Schnader’s litigation costs.
2. In pursuit of counterclaims Mr. Hershey knew lacked evidentiary support, Mr. Hershey insisted on deposing nearly every lawyer Schnader assigned to represent him, regardless of the lawyer’s role in the representation.
3. Although Schnader proposed making video facilities available, Mr. Hershey demanded that lawyers from New York, New Jersey, and Pennsylvania travel to the area for depositions.
4. During these depositions, Mr. Hershey repeatedly asked irrelevant questions and wasted time.

For the foregoing reasons and those to be further developed at an appropriate time in a supporting memorandum which, by separate motion filed today, we seek to defer until the underlying claims have been addressed, Schnader requests that the Court impose costs, expenses, and attorneys' fees and grant it such further relief as the facts and law warrant.

Dated: March 14, 2013

SCHNADER HARRISON SEGAL & LEWIS LLP

By: /s/ Jonathan M. Stern
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CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2013, I electronically filed the foregoing Motion for Sanctions Pursuant to 28 U.S.C. § 1927. This document was filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties using the CM/ECF system.

I also hereby certify that on March 14, 2013, I deposited a true copy of this Motion for Sanctions Pursuant to 28 U.S.C. § 1927 into a receptacle for the U.S. mail after placing them in an envelope with first-class postage and addressing them to the following party:

Loren W. Hershey
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